

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte JIANGTAO WEN, JOHN D. VILLASENOR,  
and JEONG-HOON PARK

MAILED

FEB 3 - 2003

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Appeal No. 2002-2287  
Application No. 09/203,672

ORDER DISMISSING APPEAL

Before STONER, Chief Administrative Patent Judge, and HARKCOM,  
Vice-Chief Administrative Patent Judge and WILLIAM F. SMITH,  
Administrative Patent Judge.

Per curiam.

On January 13, 2003, counsel for the appellants filed, among other documents, a Request for Continued Examination (RCE) under 35 CFR § 1.114. Pursuant to the notice entitled, "Request for Continued Examination Practice and Changes in Provisional Application Practice," 65 Fed. Reg. 50092, 50095 (Aug. 16, 2000), and the provisions of 37 CFR § 1.114(d), a request for continued examination under 37 CFR § 1.114 filed after appeal has been taken, but prior to a decision on appeal, "will be treated as a request to

withdraw the appeal and to reopen prosecution of the application before the examiner."

Accordingly, the appeal in this application is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

DISMISSED

  
BRUCE H. STONER, Chief  
Administrative Patent Judge

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Administrative Patent Judge

*Gary V. Harkcom* )  
GARY V. HARKCOM, Vice-Chief ) BOARD OF PATENT  
Administrative Patent Judge ) APPEALS  
 ) AND

William F. Smith, D  
WILLIAM F. SMITH  
Administrative Page

*William F. Smith*  
WILLIAM F. SMITH  
Administrative Patent Judge

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Application No. 09/203672

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